

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KEVIN L. HENDRICKSON,

Plaintiff,

v.

THURSTON COUNTY SHERIFF'S  
OFFICE, and TACOMA POLICE  
DEPARTMENT,

Defendants.

Case No. C06-5374RBL

ORDER DIRECTING PLAINTIFF  
TO CURE DEFICIENCIES IN  
HIS COMPLAINT

After granting plaintiff leave to proceed *in forma pauperis*, this matter comes before the court on plaintiff's submission of a civil rights complaint for service. The Court, having reviewed the record finds the following:

Plaintiff's complaint is deficient. Plaintiff names two defendants: the Thurston County Sheriff's Office, and the Tacoma Police Department. Plaintiff alleges these defendants violated his U.S. Constitutional and federally protected civil rights when he was wrongfully arrested on August 23, 2004. According to the complaint, plaintiff was released after spending over twelve days in the Pierce County Jail when it was discovered he was not the person named in the arrest warrant. Plaintiff's allegations appear to properly support a cognizable claim. To prevail on a 42 U.S.C. § 1983 false arrest claim, a plaintiff must show that there was no probable cause for the arrest. Cabrera v. City of Huntington Park, 159 F.3d 374, 380 (9th Cir.1998) (*per curiam*).

However, Plaintiff has failed to name any individual who personally participated in the alleged deprivation. In order to state a claim under 42 U.S.C. § 1983, a complaint must allege facts showing how

1 individually named defendants caused or personally participated in causing the harm alleged in the complaint.

2 Arnold v. IBM, 637 F.2d 1350, 1355 (9th Cir. 1981). Accordingly, this court orders the following:

3 (i) Plaintiff shall seek to cure these deficiencies by filing **an amended complaint by no later than**  
4 **August 31, 2006, 2002**. If plaintiff fails to cure these deficiencies this court will recommend dismissal of this  
5 matter as frivolous.

6 (ii) The Clerk is directed to send copies of this Order and the General Order to plaintiff.

7 DATED this 27th day of December, 2006.

8  
9 /s/ J. Kelley Arnold  
J. Kelley Arnold  
United States Magistrate Judge